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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/882,659	06/15/2001	Anders Tommy Linden	31039/234366	8512

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EXAMINER

HUG, ERIC J

ART UNIT PAPER NUMBER

1731

DATE MAILED: 02/06/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/882,659

Applicant(s)

LINDEN, ANDERS TOMMY

Examiner

Eric Hug

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) 1-17 and 24-38 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 18-23, 39 and 40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

Election/Restrictions

Claims 1-17 and 24-38 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to nonelected inventions, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 5.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claims 18-21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The term "close-coupled" in claim 18 is a relative term which renders the claim indefinite. The term "close-coupled" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 18 is rejected under 35 U.S.C. 102(b) as being anticipated by Williams (US 1,842,889). Williams discloses a tissue machine with a dryer (5), a reel (21), and a plurality of support belts extending between the dryer and the reel to transfer the web from the dryer to the reel. In particular, support belt 73, which is guided by guide rolls 69 and 74, supports the reel and forms a nip with the reel.

3. Claims 18 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Lin et al (US 5,944,273). Lin discloses a wound parent roll for a tissue machine comprising a through-dryer (13) a reel (26), and a belt (18) which is looped about guide rolls and which supports the web from the dryer to the reel. The belt supports the reel and forms a nip with the reel. The first of the guide rolls is near the dryer (at take off point from TAD fabric) and the second of the guide rolls is at the reel.

4. Claims 22, 23, and 39 are rejected under 35 U.S.C. 102(b) as being anticipated by Rugowski et al (US 5,593,545). Rugowski discloses several paper machine configurations for forming a tissue web and supporting the tissue web from the through-air dryer (13) to a reel (23) (where roll 25 is formed) without an open draw between the dryer and the reel.

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Claims 22 and 23: Figures 2 and 3 show the tissue is supported and transferred from the dryer to the reel via a support belt (18) which is looped about guide rolls adjacent the dryer and the reel. In Figure 2, an air permeable fabric and stabilizing foil are used within the belt loop.

Claim 39: Figures 4 and 5 show a paper machine where the tissue is transferred to the reel directly from the through-air drying (TAD) fabric. The TAD fabric forms a nip with reel such that the web is carried through the nip and onto the reel spool.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Williams (US 1,842,889). Williams discloses a tissue machine with a reel (21) and a plurality of belts supported by guide roll pairs, such that the belts extend from the dryer to the reel (paper roll) and support the tissue web thereupon. The first guide roll of the first belt is located directly after the dryer, and the last guide roll of the last belt is adjacent the reel. With respect to the claim, Williams uses several belts instead of a single belt (which is not expressly claimed, but implied by the claim), but achieves the same purpose as a single belt. At the time of the invention, it would have been obvious to one skilled in the art to use a single belt instead of plurality of belts in order to simplify the process of transferring the web from the dryer to the reel.

In re Harza, 274 F.2d 669, 124 USPQ 378 (CCPA 1960), the court held that mere duplication of parts has no patentable significance unless a new and unexpected result is produced. Likewise, reducing the number of parts also has no patentable significance unless a new and unexpected result is produced.

6. Claim 40 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rugowski et al in view of Klerelid (US 6,398,916). As described above, Rugowski discloses a paper machine with a forming section, a through-air dryer, and a reel, whereby the web is transferred directly from the through-air dryer (TAD) fabric to the reel. In the configurations of Rugowski, the web is not transferred from the forming wire to the TAD fabric at a particular point, but instead is transferred to a wet end transfer fabric which conveys the web to the TAD fabric. Klerelid discloses a simplified paper machine whereby the TAD fabric is configured to transport the web through the forming section. Klerelid also discloses in the "Background" section that it is typical to directly transfer a formed web from a twin-wire forming section to a TAD fabric (thus leading to a simplified paper machine). In either case, Klerelid teaches transferring the web from the forming section directly to the TAD fabric. At the time of the invention, it would have been obvious to one skilled in the art to remove the wet end transfer fabric in Rugowski, and instead configure the paper machine to transfer the web directly from the forming section to the TAD fabric. One would be motivated to simplify the paper machine to reduce cost and space associated with additional equipment needed to transfer the web between the forming section and dryer.

Allowable Subject Matter

Claims 19-21 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: Claims 19-21 are allowable, because the prior art does not teach or suggest using a stabilizing foil extending from the dryer to the reel for supporting the paper web in combination with a winding support belt that supports the reel and paper roll wound thereon and that forms a nip with the roll. The prior art teaches using air foils extending from a dryer cylinder to a reel without other means of support, or disposed within the loop of a support belt to help adhere the web to the belt.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Watson et al (US 6,447,640) discloses a tissue machine with a direct transfer point between the forming section and the TAD fabric. Watson also discloses a closed draw between the TAD fabric and the reel.

Otto et al (US 6,183,601) discloses a tissue machine with a direct transfer point between the forming section and the TAD fabric. Otto also discloses a closed draw between the dryer section and the reel using a support belt.

Page et al (US 5,891,309) discloses a web stabilizing foil adjacent a Yankee drying cylinder.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Hug whose telephone number is 703 308-1980. The examiner can normally be reached on Monday through Friday, 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 703 308-1164. The fax phone numbers for the organization where this application or proceeding is assigned are 703 872-9310 for regular communications and 703 872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308-0651.



jeh
September 16, 2002



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